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Attorneys for Defendant Ally Bank

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARIELA AGUILAR VELAZQUEZ, on behalf of herself and all others similarly situated,

) Case No. 2:21-cv-02375-MCE-DB

**JOINT STIPULATION AND ORDER TO
STAY CASE DEADLINES**

The Honorable Morrison C. England, Jr.

ALLY BANK

Defendant:

1 Plaintiff Mariela Aguilar Velazquez and Defendant Ally Bank (together, the “Parties”),
2 by and through undersigned counsel, hereby stipulate and agree as follows:

3 WHEREAS, on January 27, 2022, the Court entered the Parties’ Stipulation and Order
4 Pursuant to Local Rule 144(a) For Extension of Time to Respond to Complaint (“Stipulation”) (ECF
5 No. 11);

6 WHEREAS, pursuant to the Stipulation, Defendant’s deadline to file a response to the
7 Complaint was extended from January 28, 2022 to March 14, 2022, and the Parties’ deadline to file a
8 short joint statement was extended from February 3, 2022 to the earlier of 14 days after Defendant
9 files an answer to the Complaint, or 14 days after the Court resolves any motion to dismiss (ECF
10 No. 11 ¶¶ 1, 3);

11 WHEREAS, the Parties have agreed to stay case deadlines to engage in settlement
12 discussions and explore resolution of the case without litigation;

13 WHEREAS, the Parties believe that a stay will conserve the Court’s and Parties’
14 resources, and will not prejudice the conduct of the litigation;

15 WHEREAS, the Parties believe that there exists good cause for the Court to stay case
16 deadlines;

17 WHEREAS, all parties who have appeared in the action and are affected by the
18 stipulation are signatories hereto;

19 Accordingly, IT IS HEREBY STIPULATED, by and between the Parties, through their
20 respective counsel of record, and subject to the Court’s approval, that:

- 21 1. The case is stayed to enable the Parties to engage in settlement discussions.
- 22 2. Defendant’s deadline to file a response to the Complaint shall be extended from
23 March 14, 2022 to April 13, 2022; Plaintiff’s deadline to file any opposition to the motion shall be
24 May 13, 2022; Defendant’s deadline to file any reply in support of the motion shall be June 13, 2022;
25 and the hearing on the motion shall be scheduled for July 7, 2022.

1 3. In the event the Parties are able to make progress towards settlement and require
2 a further stay, the Parties shall submit to the Court a joint report concerning the status of the Parties'
3 efforts to resolve the case and requesting a further stay on or before April 8, 2022.

4 4. Nothing in this stipulation is intended, or shall be deemed, to waive or otherwise
5 prejudice any Party's rights, claims, defenses, motions, or objections (whether to jurisdiction, service,
6 or otherwise) in this case.

7 Dated: March 9, 2022

Respectfully submitted,

8 /s/ Diane L. McGimsey
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19 Attorneys for Defendant Ally Bank

1 */s/ Deylin O. Thrift-Viveros*
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*Attorneys for Plaintiff Mariela Aguilar
Velazquez and the Proposed Class*

IT IS SO ORDERED.

Dated: March 16, 2022


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MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE